IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8236 of 2005

Between:

Education Society (Regd.No. 48/1964) Rep. by its Director Settipalli Ramachandran, S/o. Krishnamurthy, aged about 50 Years, D.No. 3-261, Morampudi, Rajahmundry, East Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary, Medical and Health Department, Secretariat, Hyderabad.
2 The Director of Medical Education, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not issuing Government Order to start College of Nursing (B.Sc. Nursing) at Rajahmundry in East Godavari District to the petitioner's society is illegal, arbitrary, and violation of the principles of natural justice and consequently direct the respondents to consider the representation of the petitioner for starting College of Nursing (B.Sc. Nursing) at Rajahmundry in East Godavari District.

Counsel for the Petitioner: MR.VADDIPAMULETY

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

This Court at the admission stage made the following:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8236 of 2005

O R D E R:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not issuing Government Order to establish College of Nursing (B.Sc. Nursing) at Rajahmundry in East Godavari District to the petitioner-Society as arbitrary and illegal and consequently to direct the respondents to consider the representation dated 21-05-2003.

The petitioner-Society, in pursuance of the notification issued by the Chairman, Selection Committee for Paramedical Institutions, has submitted its application complying with all the requirements. In pursuance thereof, the Chairman, Selection Committee appointed an inspection team, which has inspected and submitted its report. In the mean time, the Selection Committee was disbanded. The only grievance of the petitioner is that the respondents have failed to take any further steps and no orders have been passed so far. In the

circumstances, the petitioner made a representation dated 21-05-2003 requesting the respondents to accord permission establish College of Nursing (B.Sc. Nursing) at Rajahmundry in East Godavari District, however, the respondents have not responded. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Medical Health and Family Welfare appearing for the respondents.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the Inspection Committee has already submitted its report, without expressing any opinion as to the entitlement of the petitioner to start the proposed institution, the writ petition is disposed of with a direction to the respondents to consider the representation dated 21-05-2003 submitted by the petitioner and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. No order as to costs.

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(**G. ROHINI, J**)

Date: 27-04-2005

ghn

To

1 The Principal Secretary, The Government of Andhra Pradesh, Medical and Health Department, Secretariat, Hyderabad.

2 The Director of Medical Education, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.

3 One CC to MR.PAMULETY

4 Two CCs to the Government Pleader for Medical Health and Family Welfare, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.